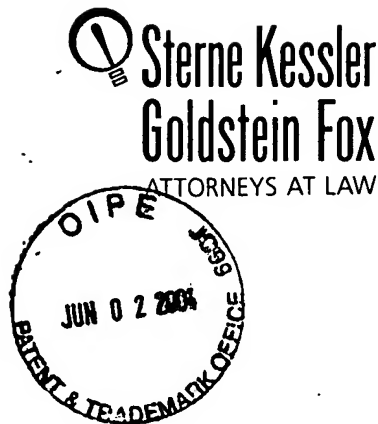


-TFW



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June 2, 2004

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 3763

Re: U.S. Utility Patent Application
Application No. 10/718,689; Filed: November 24, 2003
For: **Apparatus and Method for Wire Exchange**
Inventor: Niall Duffy
Our Ref: PA 1543 (1737.2710000)

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO/SB/08a (4 sheets) listing 57 cited documents (AA1-AR1, AA2-AR2, AA3-AR3 and AA4-AC4); and
3. One (1) return postcard.

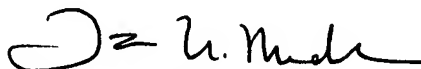
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
June 2, 2004
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "T. U. Medler", written in a cursive style.

Teresa U. Medler
Attorney for Applicant
Registration No. 44,933

TUM/BKB:kim
Enclosures

260229.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Niall Duffy

Appl. No.: 10/718,689

Filed: November 24, 2003

For: **Apparatus and Method for Wire
Exchange**

Confirmation No.: 1283

Art Unit: 3763

Examiner: *To Be Assigned*

Atty. Docket: PA 1543 (1737.2710000)

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08a are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached PTO/SB/08a based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicant has checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐ 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:

☐ 7. Copies of the documents are submitted herewith.

☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

- ☒ 9. No copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08a are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

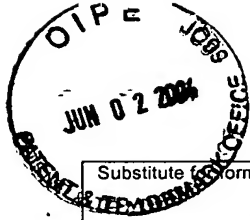
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Teresa U. Medler
Attorney for Applicant
Registration No. 44,933

Date: June 2, 2004

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Substitute for Form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

4

Complete If Known

Application Number	10/718,689
Filing Date	November 24, 2003
First Named Inventor	Niall Duffy
Art Unit	3763
Examiner Name	To Be Assigned
Attorney Docket Number	PA 1543 (1737.2710000)

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA1	US-Re. 36,857	09-05-2000	Euteneuer <i>et al.</i>	
	AB1	US-4,748,982	06-07-1988	Horzewski <i>et al.</i>	
	AC1	US-4,762,129	08-09-1988	Bonzel	
	AD1	US-4,988,356	01-29-1991	Crittenden <i>et al.</i>	
	AE1	US-5,040,548	08-20-1991	Yock	
	AF1	US-5,061,273	10-29-1991	Yock	
	AG1	US-5,149,330	09-22-1992	Brightbill	
	AH1	US-5,171,222	12-15-1992	Euteneuer <i>et al.</i>	
	AI1	US-5,178,158	01-12-1993	de Toledo	
	AJ1	US-5,205,822	04-27-1993	Johnson <i>et al.</i>	
	AK1	US-5,217,435	06-08-1993	Kring	
	AL1	US-5,232,445	08-03-1993	Bonzel	
	AM1	US-5,263,932	11-23-1993	Jang	
	AN1	US-5,290,241	03-01-1994	Kraus <i>et al.</i>	
	AO1	US-5,300,085	04-05-1994	Yock	
	AP1	US-5,324,269	06-28-1994	Miraki	
	AQ1	US-5,327,885	07-12-1994	Griffith	
	AR1	US-5,334,187	08-02-1994	Fischell <i>et al.</i>	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (if known)				

Examiner Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
Substitute for form 1449A/PTO				Application Number	10/718,689
				Filing Date	November 24, 2003
				First Named Inventor	Niall Duffy
				Art Unit	3763
				Examiner Name	To Be Assigned
				Attorney Docket Number	PA 1543 (1737.2710000)
Sheet	2	of	4		

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA2	US-5,336,184	08-09-1994	Teirstein	
	AB2	US-5,350,395	09-27-1994	Yock	
	AC2	US-5,357,978	10-25-1994	Turk	
	AD2	US-5,364,376	11-15-1994	Horzowski <i>et al.</i>	
	AE2	US-5,387,226	02-07-1995	Miraki	
	AF2	US-5,389,087	02-14-1995	Miraki	
	AG2	US-5,409,459	04-25-1995	Gambale	
	AH2	US-5,451,233	09-19-1995	Yock	
	AI2	US-5,458,639	10-17-1995	Tsukashima <i>et al.</i>	
	AJ2	US-5,460,185	10-24-1995	Johnson <i>et al.</i>	
	AK2	US-5,466,222	11-14-1995	Ressemann <i>et al.</i>	
	AL2	US-5,489,271	02-06-1996	Andersen	
	AM2	US-5,496,346	03-05-1996	Horzowski <i>et al.</i>	
	AN2	US-5,501,227	03-26-1996	Yock	
	AO2	US-5,531,700	07-02-1996	Moore <i>et al.</i>	
	AP2	US-5,549,556	08-27-1996	Ndondo-Lay <i>et al.</i>	
	AQ2	US-5,571,094	11-05-1996	Sirhan	
	AR2	US-5,578,009	11-26-1996	Kraus <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (If known)				

Examiner Signature		Date Considered	
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				Application Number	10/718,689
				Filing Date	November 24, 2003
				First Named Inventor	Niall Duffy
				Art Unit	3763
				Examiner Name	To Be Assigned
Sheet	3	of	4	Attorney Docket Number	PA 1543 (1737.2710000)

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA3	US-5,626,600	05-06-1997	Horzewski <i>et al.</i>	
	AB3	US-5,685,312	11-11-1997	Yock	
	AC3	US-5,709,658	01-20-1998	Sirhan <i>et al.</i>	
	AD3	US-5,718,680	02-17-1998	Kraus <i>et al.</i>	
	AE3	US-5,749,888	05-12-1998	Yock	
	AF3	US-5,755,685	05-26-1998	Andersen	
	AG3	US-5,769,868	06-23-1998	Yock	
	AH3	US-5,779,671	07-14-1998	Ressemann <i>et al.</i>	
	AI3	US-5,807,355	09-15-1998	Ramzipoor <i>et al.</i>	
	AJ3	US-5,919,164	07-06-1999	Andersen	
	AK3	US-5,919,175	07-06-1999	Sirhan	
	AL3	US-5,947,925	09-07-1999	Ashiya <i>et al.</i>	
	AM3	US-5,947,927	09-07-1999	Mertens	
	AN3	US-6,013,068	01-11-2000	Spiegelhalter	
	AO3	US-6,036,715	03-14-2000	Yock	
	AP3	US-6,056,719	05-02-2000	Mickley	
	AQ3	US-6,096,009	08-01-2000	Windheuser <i>et al.</i>	
	AR3	US-6,165,197	12-26-2000	Yock	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† ⁶
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Examiner Signature	Date Considered
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Complete If Known

Application Number	10/718,689
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Art Unit	3763
Examiner Name	<i>To Be Assigned</i>
Attorney Docket Number	PA 1543 (1737.2710000)

Sheet	4	of	4
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[illegible]

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Rev. 11-03-03 svb